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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/536,941	11/10/2005	Gerard Bradley	RN02157	8313
Jean-Louis Seugnet Intellectual Property Dept Rhodia Inc.	EXAMINER THOMAS, JAISON P			
			ART UNIT	PAPER NUMBER
			1751	
SHORTENED STATUTOR	Y PERIOD OF RESPONSE	MAIL DATE	DELIVER	Y MODE
3 MO	NTHS	01/25/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
	10/536,941	BRADLEY ET AL.
Office Action Summary	Examiner	Art Unit
• •	Jaison P. Thomas	1751
The MAILING DATE of this communication a Period for Reply	appears on the cover sheet wit	th the correspondence address
A SHORTENED STATUTORY PERIOD FOR REF WHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication If NO period for reply is specified above, the maximum statutory peri - Failure to reply within the set or extended period for reply will, by sta Any reply received by the Office later than three months after the may earned patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUNIC 1.136(a). In no event, however, may a re- tiod will apply and will expire SIX (6) MONI titute, cause the application to become ABA	CATION. apply be timely filed THS from the mailing date of this communication. ANDONED (35 U.S.C. § 133).
Status		
1)⊠ Responsive to communication(s) filed on 10) November 2005.	
	his action is non-final.	
3) Since this application is in condition for allow closed in accordance with the practice unde	wance except for formal matte	·
Disposition of Claims		
4) ☐ Claim(s) 15-26 is/are pending in the applica 4a) Of the above claim(s) is/are withd 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 15-26 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and	Irawn from consideration.	
Application Papers		
9) The specification is objected to by the Exam	iner.	
10) The drawing(s) filed on is/are: a) a	ccepted or b) objected to b	by the Examiner.
Applicant may not request that any objection to t	he drawing(s) be held in abeyan	ce. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the corr	,	
Priority under 35 U.S.C. § 119		
12) Acknowledgment is made of a claim for foreignable All b) Some * c) None of: 1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority document application from the International Bure	ents have been received. ents have been received in Apriority documents have been	pplication No
* See the attached detailed Office action for a I	• • • • • • • • • • • • • • • • • • • •	received.
Attachment(s)		
1) Notice of References Cited (PTO-892)		ummary (PTO-413)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date)/Mail Date formal Patent Application

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DETAILED ACTION

Claim Rejections - 35 USC § 102/103

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 15-26 are rejected under 35 U.S.C. 102(b) as being anticipated by, or in in the alternative, unpatentable under 35 U.S.C. 103(a) as being unpatentable over Coran et al. (US Patent 4173556).

Coran teaches elastoplastic compositions which are blends of cross-linked rubber and thermoplastic polyamide (Abstract). Compostions are comprised of 20-50 parts of polyamide and 80 to 50 parts by weight of rubber (Column 2, lines 39-42). Carbon black can be blended in from 20 to 100 parts per weight of carbon black and rubber (Column 10, lines 14-16). Examples of polyamides used include nylon-6, nylon 12, nylon 6,6, nylon 6,9 and nylon 6,10 (Column 7, lines 13-19). Rubbers disclosed include "rubbery polymer selected from the group consisting of a homopolymer of 1,3-butadiene, or copolymer of 1,3-butadiene or isoprene copolymerized with vinylarene monomer or vinyl nitrile monomer such as styrene, vinyl pyridine, acrylonitrile or

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methacrylonitrile" (Column 6, lines 14-20). The patentee also discloses that the carbon black is masterbatched with the rubber and the masterbatch is mixed with the polyamide (Column 9, lines 57-62).

In the alternative that Coran is insufficient to anticipate the limitations of the instant claims, it would have been obvious to one of ordinary skill in the art at the time the invention was made to produce the compositions and masterbatches of the instant claims since Coran teaches each and every limitation of the instant claims.

Conclusion

- 4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jaison P. Thomas whose telephone number is (571) 272-8917. The examiner can normally be reached on Mon-Fri 8:30 am to 5:00 pm.
- 5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas McGinty can be reached on (571) 272-1029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jaison Thomas Examiner 1/12/2007

JT

LORNA M. DOUYON
PRIMARY EXAMINER